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PART-I

Notifications, Orders and Declarations by Haryana Government

STATE ELECTION COMMISSION, HARYANA
NIRVACHAN SADAN, SECTOR- 17, PANCHKULA, HARYANA – 134109

Order

The 4th May, 2020

No. SEC/3ME/2020/642.— The General Election of Municipal Council, Palwal was held on 22.05.2016 and the result of the election was declared on the same day.

2. Section 13E of the Haryana Municipal Act, 1973, provides that every candidate at an election shall, either himself or by his election agent, keep a separate and correct account of all expenditure in connection with the election incurred or authorized by him or by his election agent from the date of filing of nomination papers to the date of declaration of the result thereof, both dates inclusive. The account shall contain such particulars, as may be notified by the State Election Commission in this behalf. The total of the said expenditure shall not exceed such amount as may be notified by the State Election Commission from time to time.

3. Section 13D of the Haryana Municipal Act, 1973 read with Section 10 A of the Representation of People Act, 1951 further provides that if the Election Commission is satisfied that a person –

(a) has failed to lodge an account of election expenses, within the time and in the manner required by or under this Act, and

(b) has no good reason or justification for the failure

the Election Commission shall, by order published in the Official Gazettee, declare him to be disqualified and any such person shall be disqualified for a period of three years from the date of the order.

4. In pursuance of the above provisions, the State Election Commission, Haryana *vide* its Notification No. No.SEC/3ME/2015/619, dated 03.06.2015 in exercise of powers vested under clause (i) Article 243 ZA of the Constitution of India, Sub-section 3 of Section 13E of the Haryana Municipal Act, 1973 had prescribed the limit of expenditure of Rs. 1,00,000/- that may be incurred by the contesting candidate or his authorized agent in connection with election of Municipal Council, Palwal and account of election expenses shall be filed/lodged with the Deputy Commissioner or any other officer prescribed by the Commission within 30 days from the date of declaration of the result of election.

5. The State Election Commissioner, Haryana in exercise of powers contained under Section 3B of the Haryana Municipal Act, 1973 authorized Assistant State Election Commissioner, State Election Commission, Haryana *vide* order No.SEC/IME/2017/2017, dated 01.12.2017 and further modified *vide* order No.SEC/IME/2018/842, dated 28.02.2018 to decide the cases of disqualification of the candidates of the said municipality, who failed to lodge their account of election expenses.

6. As reported by the Executive Officer, Municipal Council, Palwal, the following candidates had contested the election of Municipal Council, Palwal held on 22.05.2016 but failed to submit their election expenditure account :-

Sr. No.	Name of Candidate	Ward No.
1.	Shyam Lal	1
2.	Narender	1
3.	Shyambir	2
4.	Tara Chand	2
5.	Satender Tewatiya	2
6.	Aarti Singh	3
7.	Rajesh Devi	4
8.	Surender Singh	4
9.	Gajraj Singh	4
10.	Suresh Chand	4
11.	Subhash	4
12.	Rachna	4
13.	Kunwar Pal	4
14.	Shashi	5
15.	Kailash	5
16.	Om Prakash	6
17.	Dalbir	6
18.	Nardev	6
19.	Manju	6
20.	Charanjeet Singh	7
21.	Prem Chand	7
22.	Sonam Bala	8
23.	Manjit Kaur	8
24.	Gunjan Devi	8
25.	Pushpa	8
26.	Mangal Singh	9
27.	Manoj	9
28.	Hukam Singh	9
29.	Kusum	9
30.	Dalip Singh	9
31.	Smt. Naresh	10
32.	Sundri	10
33.	Mamta	10
34.	Virma Devi	10
35.	Jyoti	10

Sr. No.	Name of Candidate	Ward No.
36.	Beena	10
37.	Neelam Sharma	10
38.	Rajni	11
39.	Smt. Anita Singh	11
40.	Rajesh Kathuriya	12
41.	Archana Pahil	13
42.	Smt. Dimple	13
43.	Savita Devi	14
44.	Smt. Bhanu	14
45.	Rinki	15
46.	Kuldeep Singh	16
47.	Jagat Singh	16
48.	Pooja	17
49.	Narender Singh	18
50.	Krishan Kumar	18
51.	Anoop Parasar	20
52.	Tarun Kumar Sharma	20
53.	Hariom	20
54.	Lakhi Ram	20
55.	Bhagwat Dayal	20
56.	Suresh Kumar	22
57.	Savitri Devi	23
58.	Jitender	23
59.	Raj Kumar	24
60.	Anita	24
61.	Prahlad	25
62.	Krishana Devi	27
63.	Renu	27
64.	Gaurav Kumar	28
65.	Ashok Kumar	28
66.	Rajni Rani	29
67.	Pratap Singh	29
68.	Shayam Lal	29
69.	Sanjay Kumar	30
70.	Raj Bala	30
71.	Priti	31

7. The Commission had served a show cause notice upon them to explain as to why they should not be disqualified on account of non submission of election expenditure account within the period. Neither they submitted their election expenditure statement nor responded to the show cause notice. I, had given them an opportunity of personal hearing on 25.02.2020 at 11.30AM in the office of State Election Commission, Haryana, "Nirvachan Sadan", Plot No. 2, Sector-17, Panchkula. Executive Officer, Municipal Council, Palwal informed *vide* letter No.900, dated 24.02.2020 and No.1233/MCP, dated 17.03.2020 that notice of personal hearing was delivered to the above said candidates. It has been observed that notice of personal hearing has been delivered to all the candidates in person or through their family members.

8. The above mentioned contesting candidates neither appeared before me nor filed any representation. Therefore, it can be concluded that they have nothing to say in the matter. Hence, they are proceeded ex-parte. The above noted candidates deserve to be disqualified. Hence I, Parmal Singh, Assistant State Election Commissioner, Haryana, hereby order that all the above 71 candidates are disqualified under Section 13D of the Haryana Municipal Act, 1973 read with Section 10A of the Representation of People Act, 1951 for being chosen as, and for being a member of Municipality for a period of three years from the date of this order.

9. The office is directed to send a copy of this order to the candidate concerned through Deputy Commissioner, Palwal immediately.

Panchkula:
The 19th March, 2020.

PARMAL SINGH,
Asstt. State Election Commissioner, Haryana.